

Union Calendar No. 39

111TH CONGRESS
1ST SESSION

H. R. 1679

[Report No. 111–85, Part I]

To provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on active duty for a period of more than 30 days, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 2009

Mr. BRADY of Pennsylvania (for himself, Mr. DANIEL E. LUNGREN of California, Mrs. DAVIS of California, Mr. HARPER, and Mr. MCCARTHY of California) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

APRIL 22, 2009

Reported from the Committee on House Administration

APRIL 22, 2009

Committee on Standards of Official Conduct discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on

active duty for a period of more than 30 days, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “House Reservists Pay
 5 Adjustment Act of 2009”.

6 **SEC. 2. REPLACEMENT OF LOST INCOME FOR HOUSE EM-**
 7 **PLOYEES ON ACTIVE DUTY UNDER INVOLUN-**
 8 **TARY MOBILIZATION ORDER.**

9 (a) PAYMENT.—

10 (1) IN GENERAL.—For each active duty month
 11 of an eligible employee of the House of Representa-
 12 tives who is also a member of a reserve component
 13 of the armed forces, the Chief Administrative Officer
 14 of the House of Representatives shall pay to the em-
 15 ployee the amount by which—

16 (A) the amount of regular compensation
 17 the employee would have received from the
 18 House of Representatives if the month had not
 19 been an active duty month, exceeds (if at all)

20 (B) the total monthly military compensa-
 21 tion paid to the employee for the month by the
 22 Secretary of Defense.

23 (2) ELIGIBILITY.—An employee of the House of
 24 Representatives is eligible for purposes of paragraph

1 (1) with respect to an active duty month if the em-
2 ployee was an employee of the House of Representa-
3 tives during each day of the 90-day period which
4 ends on the day on which the employee reports for
5 active duty under an involuntary mobilization order.

6 (b) DETERMINATION OF COMPENSATION EMPLOYEE
7 WOULD HAVE RECEIVED.—

8 (1) IN GENERAL.—For purposes of subsection
9 (a)(1), the amount of regular compensation an em-
10 ployee would have received from the House of Rep-
11 resentatives for a month shall be equal to the
12 amount of compensation the employee received from
13 the House of Representatives for the base month
14 (excluding any bonus or incentive payment made
15 during the month), increased (in a compound man-
16 ner) by any cost-of-living adjustments applicable to
17 the compensation of employees of the Office of the
18 Chief Administrative Officer for months occurring
19 after the base month.

20 (2) BASE MONTH DEFINED.—For purposes of
21 paragraph (1), the term “base month” means, with
22 respect to an employee, the most recent month for
23 which the employee received compensation from the
24 House of Representatives which precedes the active
25 duty month.

1 (c) SPECIAL RULES REGARDING AMOUNT OF PAY-
2 MENT.—

3 (1) REDUCTION FOR AMOUNTS PAID FROM
4 OTHER SOURCES AS REPLACEMENT OF LOST IN-
5 COME.—The Chief Administrative Officer shall re-
6 duce the amount of any payment made to any indi-
7 vidual under subsection (a) with respect to an active
8 duty month by the amount of any payment received
9 by the individual under section 910 of title 37,
10 United States Code, or any other source that is pro-
11 vided to replace income lost by the individual during
12 the month.

13 (2) MINIMUM AMOUNT REQUIRED FOR PAY-
14 MENT.—The Chief Administrative Officer shall not
15 make a payment otherwise required under this sec-
16 tion if the amount of the payment (as determined
17 under subsection (a), taking into account the reduc-
18 tion made under paragraph (1)) is not greater than
19 \$50.

20 (d) DEFINITIONS.—In this section—

21 (1) the term “active duty month” means, with
22 respect to an employee of the House of Representa-
23 tives who is also a member of a reserve component
24 of the armed forces, any month during which the
25 employee is not able to perform duties for the office

1 of the employee's employing authority because the
2 employee is on active duty under an involuntary mo-
3 bilization order for a period of more than 30 days;

4 (2) the terms "armed forces", "active duty for
5 a period of more than 30 days", and "reserve com-
6 ponent" have the meaning given such terms in sec-
7 tion 101 of title 37, United States Code; and

8 (3) the term "total monthly military compensa-
9 tion" has the meaning given such term in section
10 910(e)(2) of title 37, United States Code.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated from the applicable ac-
13 counts of the House of Representatives such sums as may
14 be necessary for payments under this section.

15 (f) EFFECTIVE DATE.—This section shall apply with
16 respect to active duty months beginning on or after the
17 date of the enactment of this Act.

18 **SEC. 3. ENSURING CONSISTENCY WITH CODE OF OFFICIAL**
19 **CONDUCT.**

20 Clause 8 of rule XXIII of the Rules of the House
21 of Representatives is amended by adding at the end the
22 following new paragraph:

23 "(d) Nothing in this clause may be construed to pro-
24 hibit the disbursement or receipt of any payment author-

1 ized under section 2 of the House Reservists Pay Adjust-
2 ment Act of 2009.”.

3 **SEC. 4. CLARIFICATION OF ELIGIBILITY OF SURVIVORS**
4 **FOR HOUSE GRATUITY.**

5 The last undesignated paragraph under the center
6 heading “House of Representatives” and the center sub-
7 heading “Contingent Expenses of the House” in the first
8 section of the Legislative Branch Appropriation Act, 1955
9 (2 U.S.C. 125), is amended by adding at the end the fol-
10 lowing: “Nothing in this paragraph may be construed to
11 prohibit the Chief Administrative Officer from paying a
12 gratuity to the widow, widower, or heirs-at-law of an em-
13 ployee of the House who dies during an active duty month
14 (as defined in section 2(d) of the House Reservists Pay
15 Adjustment Act of 2009).”.

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11TH CONGRESS
1ST Session

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